

On the Docket

U.S. Bankruptcy Court, District of Rhode Island

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Jan., Feb., March, 2002

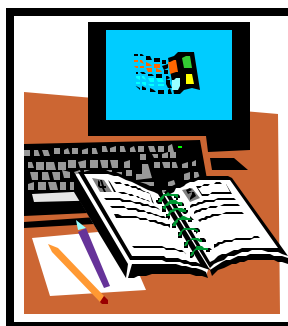
Kristen E. Batty, Editor

The Inner Workings: News & Advice

By: Susan M. Thurston, Clerk of Court

Happy (Belated) New Year! 2002 promises to be a very busy and electronically challenging one for the Bankruptcy Court. The Court is slated to implement three new automation programs by year's end -- beginning with a conversion to a new email system (Lotus Notes) on April 1, followed by the implementation of a new financial accounting program (affectionately known as "FAST" in

the judiciary) in the fall and finally, the conversion and migration from "Bancap" to a completely new case management and electronic filing system ("CM/ECF") by the end of the year. While the first two automation changes should have little impact on the public, the conversion to CM/ECF will be dramatic for everyone -- internal and external customers. As we progress with the



Conversion from Bancap to CM/ECF coming by the end of this year.

case management implementation, we will have to adopt new local rules to address the electronic filing component and will also be

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State-of-the-Art Evidence Presentation System

By: Cindy Cory, Courtroom Deputy

FOR IMMEDIATE RELEASE
PROVIDENCE, RI [February 26, 2002] - The U.S. Bankruptcy Court is proud to announce the installation of a state-of-the-art evi-

dence presentation system in the courtroom to facilitate the viewing and exchange of evidence during bankruptcy court trials and hearings.

The system, which was installed in January, consists of a document camera, viewing monitor, VCR, and CD/DVD player at a custom built and de-

signed podium, as well as monitors throughout the courtroom, two plasma televisions and laptop inputs at each counsel table. Soft-

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(News & Advice cont. from page 1)

seeking volunteer attorneys to join our first test wave of electronic filers.

Another upcoming initiative at the court is the remodeling of the Judge's conference and courtroom. In the coming months, the conference room will be enlarged by extending the wall into the courtroom and relocating 12 audience seats to the area now reserved as a jury box. The jury box will be removed entirely and new railings and carpeting installed. This last phase will complete our

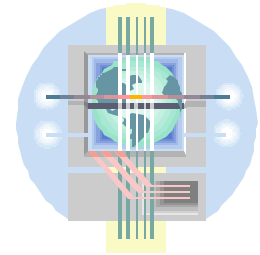
courtroom remodeling project and with our newly installed evidence presentation system, the courtroom and conference room should be extremely user friendly and trial efficient!

Elsewhere in this publication is news about the evidence presentation system and our recently commenced training classes on the equipment, *see page 1 infra*.

Also, to accommodate the ability to use lap tops at counsel table, the Court recently issued General Order 02-001 modifying local rule 5072-1 to

permit lap top use without prior court approval when seated at such tables. *See infra, page 5.*

Remember to visit our Website at www.rib.uscourts.gov regularly for updated news and information about the court. We welcome your continued suggestions on what is important to you and how we can be of service to our customers.



New Evidence Presentation System in the Courtroom

Intake Input

By: Patrice Moore, Intake Clerk

We, at Intake, wish to commend the members of the bar for all their efforts in formatting the matrices on disk. We do want to stress to you the importance of checking the creditors and making sure that all creditors on the schedules appear on the disk. Otherwise, when the case is checked for correctness, the Case Administrator may issue a defective pleading if the creditor is only present on the schedules and

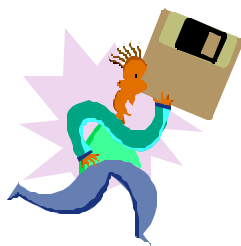
not on the matrix. If this is the case, you will need to file a Motion to Amend to Add a Creditor with a \$20.00 fee so the creditor can be noticed.

Some people are not aware that bankruptcy petitions can be filed through the mail. Be sure you send the original and 2 (two) copies of the petition, creditors matrix on disk, and the fee which can be paid by check from the attorney, a money order from either the attorney or the debtor or by using an attorney's major credit card. If you are using a charge card, be sure to list the expiration date on the cover letter. Also, if you are filing multiple petitions, we can process

them faster if you include separate checks. There can be (2) two Intake clerks opening your new cases which will make your visit to the Clerk's office quick and pleasant.

A new notice is on the counter at the Clerk's office. Beginning February 1, 2002, the debtor is being asked to present a picture identification and proof of Social Security Number. This notice is also posted at the U.S. Trustee's Office. For more information on this notice see page 3.

Lastly, just a reminder to utilize our website at www.rib.uscourts.gov.



Formatting matrices on disk is a huge success!

2 U.S. Department of Justice Press Releases

By: Gail A. Kelleher, Chief Deputy Clerk

Press releases were issued recently by the US Department of Justice that affect personal bankruptcy filers. The first press release announced the results of a six month pilot program called the Debtor Identification Pilot Program, conducted during the first half of 2001. This program found inaccuracies in approximately one percent of Chapter 7 and 13 filings in 18 judicial districts. 20 percent of these inaccuracies involved questionable names and/or identity documents, or possible misuse or falsification of social security numbers. The primary goal of this pilot project was to combat identity fraud and protect its victims. Aside from fraud, even innocent mistakes can create problems of

Individual debtors must provide picture ID and proof of social security number.

misidentified debtors or cause a bankruptcy filing to be reported on the wrong person's credit record.

How does this affect bankruptcy filers in Rhode Island? The US Trustee recently issued a notice to bankruptcy practitioners that, effective for cases filed in either chapter 7 or

chapter 13 after February 2, 2002, individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Acceptable forms of picture identification include:

driver's license
government, state,
student or military ID
US passport
resident alien card

Acceptable forms of proof of social security number include:

social security card
medical insurance
card
pay stub, W-2 form,
IRS form 1099
social security admini-
stration form

These documents should be originals, not copies! If you have questions or need additional information, please contact the local US Trustee office at 401/528-5551.

The second release concerned a Bankruptcy Civil Enforcement Initiative launched by the US Trustee Program. The purpose of this initiative is to "aggressively use existing civil enforcement methods to curb abuse of the bankruptcy sys-

tem," says Martha Davis, Acting Director of the Executive Office for United States Trustees. The priorities of this initiative are:

Ensure that Chapter 7 is not abused, and that Chapter 7 debtors are held accountable;
Protect consumer debtors, creditors and others who are victimized by those who mislead or misinform debtors, make false representations in connection with a bankruptcy case, or otherwise abuse the bankruptcy process;

Ensure that Chapter 11 debtors proceed with their cases promptly, and are informed of and held to account for their obligations under the Bankruptcy Code;

Fight fraud and abuse by making criminal referrals and assisting US Attorneys in criminal prosecutions.

Examples of civil enforcement actions by the US Trustee Program include monitoring Bankruptcy Petition Preparers for fraudulent acts, sanctions for attorney misconduct, Section 727 complaints for complete denial of a debtor's Chapter 7 discharge, and Motions to Dismiss Cases for Substantial Abuse under Section 707(b).

(Presentation System Cont. from page 1) were programming buttons at the Court Recorder/Courtroom Deputy bench control which of the inputs may be viewed on the two plasma television screens mounted on the walls of the courtroom, and LCD monitors at each station (witness box, Judge's bench, law clerk, plaintiff and defendant counsel tables, Court Recorder / Courtroom Deputy bench). A feature of the system allows the Court to turn off the witness and audience screens until a piece of evidence is deemed admissible. Until a ruling is made, only the Judge, court staff and attorneys at counsel table are able to view the evidence. Once the evidence is admitted, anyone in the courtroom can see the evidence from the various viewing devices located throughout the courtroom.

The laptop connections at counsel tables enable attorneys to access (1) the Internet including email; (2) the Courts imaged documents, dockets, forms and local rules from the Court's website; and if desired, (3) to present argument to the court using Power Point or similar presentation software.

Training on the new system began in February and is offered every Tuesday and Thursday before and after court. No pre-registration is required. A bankruptcy court representative will be in the courtroom to answer questions, provide information on laptop hookups and to conduct the short training session for interested users of the system. Attorneys, paralegals/legal assistants who would like to have a trial run of their PowerPoint presentation or other features of

For a demonstration on the New Evidence Presentation System contact: Kristen Batty (401) 528-4477 ext. 33

the evidence presentation system, should contact Ms. Kristen Batty, Court Training Officer at 528-4477, ext. 33 to schedule an advance appointment.

As the Bankruptcy Court approaches electronic case filing capability next year, this system will be a critical component of our total electronic courtroom. We thus urge all members of the Bar to become familiar with this exciting new system for presenting evidence in court, and we guarantee it will enhance trial presentation as well as the efficient administration of bankruptcy cases.

Clerk's Office Announcements: Office Closings — Court Calendars on the website



Upcoming Office Closings

The Clerk's Office will be closed on **Monday, May 27, 2002** in observance of Memorial Day.

Court Calendars posted on our website: www.rib.uscourts.gov

The Court calendars are now posted on the Internet and updated as changes occur. You can also receive calendars by e-mail (Word Perfect). Please let the Courtroom deputy, Ms. Cindy Cory, 528-4477, ext. 32, know if you would like to be placed on the e-mail list.

A reminder: please remember to put case numbers and names on signature pages of pleadings as well as on schedules which are filed after the initial cover pages are filed. So far we have been able to identify all schedules filed without a coversheet; however, it takes unnecessary clerical time to research case numbers and write them on pleadings, which reduces docketing time.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

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In re	:	BANKRUPTCY GENERAL ORDER
AMENDMENTS TO	:	NO. 02-001
LBR 5072-1(e)	:	
	:	

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Local Bankruptcy Rule 5072-1(e), entitled "Courtroom Decorum", addresses the acceptable use of Cellular Telephones, Laptop Computers and Beepers in the courtroom. As a result of the court's recent introduction of an evidence presentation system and laptop hookups at counsel tables in the courtroom, the language in the current local rule requires updating.

Accordingly, in order to permit counsel to use their laptops at counsel tables for the introduction of evidence in a trial or other proceeding, this general order is being issued to amend local rule 5072-1(e) to add the following additional language:

IT IS ORDERED that:

LBR 5072-1(e), entitled "Cellular Telephones, Laptop Computers, and Beepers", is amended to include the language appearing below in bold and italics. In all other respects, LBR 5072-1(e) remains unchanged:

Anyone entering the courtroom is required to turn off all cellular phones and noise emitting beepers before entering the courtroom. Laptop computers will be allowed in the courtroom only upon prior request and approval of the court, ***except while in use at counsel table.***

This general order shall take effect immediately.

Enter:

Order:

/s/
U.S. Bankruptcy Judge

/s/
Clerk of Court

Dated: 2/26/2002

